

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE TESLA INC. STOCKHOLDER
DERIVATIVE LITIGATION

§
§ Lead Case No. 1:22-cv-00592-LY
§
§ (Consolidated with Case No. 1:22-cv-00611-
§ LY)

This Document Relates To:

All Cases

§
§ DEMAND FOR JURY TRIAL
§
§

AGREED MOTION TO MODIFY BRIEFING DEADLINES ON MOTION TO DISMISS

COMES NOW plaintiff Alvin Janklow ("Plaintiff"), individual defendants Elon Musk, Robyn Denholm, Kimbal Musk, Ira Ehrenpreis, James Murdoch, Lawrence J. Ellison, Kathleen Wilson-Thompson, Hiromichi Mizuno, Antonio J. Gracias, Stephen T. Jurvetson, Brad W. Buss, and Linda Johnson Rice, and nominal defendant Tesla Inc. ("Defendants," and with Plaintiff, the "Parties") move to modify the current deadlines for Plaintiff's opposition to the Defendants' pending motion to dismiss ("Motion to Dismiss") and the Defendants' reply in support of their Motion to Dismiss. In support of this motion, the Parties state and propose as follows:

1. On July 22, 2022, the Court entered an order setting a schedule for the filing of a consolidated complaint and Defendants' response(s) thereto.

2. Plaintiff filed a consolidated complaint on September 6, 2022. Defendants filed their Motion to Dismiss on November 7, 2022. Plaintiff's opposition to the Motion to Dismiss is currently due January 6, 2023, and Defendants' reply brief is currently due February 6, 2023.

3. Due to unanticipated personal and health issues affecting Plaintiff's counsel in this matter, Plaintiff requested, and Defendants have agreed to, a one week extension of Plaintiff's deadline to file his opposition to the Motion to Dismiss, to January 13, 2023. The Parties have

further agreed that Defendants shall file any reply in support of their Motion to Dismiss by February 17, 2023.

5. The agreed-to extension is not entered into for purposes of delay and will not result in any prejudice.

WHEREFORE, the Parties pray for an order extending the time for Plaintiff's opposition to the Motion to Dismiss and Defendants' reply in support of the Motion to Dismiss, as set forth in this motion.

Dated: January 5, 2023

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Dated: January 5, 2023

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CERTIFICATE OF CONFERENCE

I certify that on January 5, 2023, I conferred with counsel for Defendants, Doru Gavril of Freshfields Bruckhaus Deringer US LLP, regarding the substance of this motion and he stated that Defendants agree with the relief requested herein.

/s/ Shane P. Sanders

SHANE P. SANDERS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed with the Court's electronic case filing (ECF) system on January 5, 2023, which caused an electronic copy of this document to be served on all counsel of record in this matter who have registered for ECF service.

/s/ Shane P. Sanders

SHANE P. SANDERS

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